

# **DISTRICT I ADVISORY BOARD AGENDA**

**December 05, 2016, 6:30 p.m.**

Atwater Neighborhood Resource Center  
2755 E. 19<sup>th</sup> St. N., Wichita, KS 67214

## **ORDER OF BUSINESS**

Call to Order

Approval of agenda for December 5, 2016

Approval of minutes for November 7, 2016

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### **New Business**

1. **Housing and Community Services Department**

**John Hall will present this information.** 2017-2018 One Year Action Plan regarding proposed Community Services Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) allocations. The Community Investments Division oversees activities that are funded through the U.S. Department of Housing and Urban Development (HUD). Programs funded with these resources are provided to persons who meet income guidelines.

2. **Housing and Community Services Department**

**John Hall will present this information.** Grant Review Committee Nomination FY 2017-2018. Request for Nomination of Grant Review Committee Representative from District I.

### **Public Agenda**

Board will hear public issues from individual citizens regarding City issues not scheduled on the agenda. Each presentation is limited to five minutes unless extended by the Board.

3. **Scheduled Items**

No Items

4. **Off Agenda Items**

Individuals present that did not request to speak prior to the meeting may speak at this time.

### **Staff Reports**

5. **Fire Report**

**Fire Department** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

6. **Police Report**

**Police Department** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

7. **Library Report**

**Library staff** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

8. **Park & Recreation Report**

**Park & Recreation staff** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

## **New Business**

### **9. ZON2016-00049 TF-3 Two-family Residential to GC General Commercial**

**William Longnecker, Metropolitan Area Planning Department, will present this request.** The applicant is requesting GC General Commercial (“GC”) zoning on a 0.16-acre site, currently zoned TF-3 Two-family Residential (“TF-3”). The proposed use is a parking area and gallery. The site is located at the southeast corner of East 13th Street North and North Green Street, just two blocks east of North Grove Avenue. The subject site currently has a single-family residence.

Any development on the subject property, even a parking area, will be required to meet screening, compatibility standards and landscaping. For any proposed development, screening, buffer landscaping and compatibility standards will be required for the residential properties to the south and east. Any existing vegetation, on the subject property, that is left in place after the development of the site can be used to help satisfy the buffer landscaping requirement. Access control would be reviewed, by the Traffic Engineer, according to the redevelopment of the site. There is currently one existing drive for the site.

**Recommended Action:** While this proposed zone change does not exactly conform to the existing Land Use Guide of the Comprehensive Plan, this request would be in conformance at the other three corners of the intersection due to them being classified as Local Commercial. This proposed zone change is proposed to help serve the property to the north of the subject site which was granted a zone change from TF-3 to GC by the MAPC on January 6, 2016 (ZON2015-00047). Thus, based upon the information available prior to the public hearings and past zone change requests in the area, planning staff recommends that the request be **APPROVED**, subject to 1 protective overlay.

### **10. CON2016-00047 LC Limited Commercial (GO) subject to Protective Overlay PO #134**

**William Longnecker, Metropolitan Area Planning Department, will present this request.** The applicant is requesting an amendment to Protective Overlay #134 (“PO” #134) on the undeveloped LC Limited Commercial (“LC”) zoned property located on the southeast corner of East Central Avenue and North Vassar Avenue. Provision B. of PO #134 states that:

- B. Even though the property is zoned LC, the property would be restricted to uses permitted by right in the Neighborhood Retail (“NR”) district as follows: single-family; duplex; multi-family; accessory apartment; assisted living; church; day care, limited and general; library; utility, minor; automated teller machine; bed and breakfast inn; medical service; office, general; parking area, commercial; agriculture; personal care service; personal improvement service and a restaurant that exceeds 2,000 square feet. No sound amplification systems for projecting music or human voice shall be permitted on the property. No menu or order boards are permitted. Drive-through service is permitted but is restricted to a pick-up window only.

The applicant proposes to allow a sound amplification systems for projecting the human voice and an outdoor menu board, which is prohibited in PO #134, thus the proposed amendment. The result of the proposed amendment would be a drive-through restaurant. The applicant’s elevation shows the restaurant as being one of several tenants of a commercial strip building.

**RECOMMENDATION:** There has been no change to the development pattern in the area located east of the Hillside – Central Avenues intersection since the 2012 zoning case, ZON2012-00014. The proposed amendment disrupts that development pattern by proposing a more intense commercial use into an established and well maintained single-family residential neighborhoods.

Based upon information available prior to the public hearings, planning staff recommends that the request for the amendment that would allow a restaurant with an order board and a sound amplification system for projecting the human voice allowing drive through service be DENIED based on 5 findings.

However, if the MAPC finds the proposed amendment to allow a sound amplification systems for projecting the human voice and an outdoor menu board for a drive-through restaurant appropriate they must provide findings to support the amendment.

**11. CON2016-00053 CBD Central Business District to Conditional Use to permit an event center**

**William Longnecker, Metropolitan Area Planning Department, will present this request.** The applicant is seeking conditional use approval for an “event center” on the CBD Central Business District (“CBD”) zoned site, located southwest of East Douglas Avenue and North Hydraulic Avenue on the west side of South Ellis Avenue. The event center will be offered for rent for private life events such as weddings, reunions, anniversaries, birthdays, corporate or charitable events, art shows or similar activities. The event center will provide the options of the serving and consumption of alcohol, providing food and providing music for dancing or entertainment at the events. Per the “Wichita-Sedgwick County Unified Zoning Code” (UZC), an event center is defined as, “...premises that are frequently rented out for public or private activities that are not repeated on a weekly basis, and that are not open to the public on a daily basis at times other than when an event is scheduled”; UZC Sec. II-B.4.i. However the UZC defines an establishment that serves alcoholic beverages for consumption on the site, that may or may not serve food, and that may also provide live entertainment or dancing by employees or patrons as a “nightclub in the city”; UZC Sec. II-B.9.b.

A nightclub in the city is permitted by right in the CBD zoning district unless the establishment is located within 300 feet of a church/place of worship, public park, school or residential zoning district, as measured property line to property line. Hyde Public Park is located approximately 260 feet southeast of the site on the east side of Ellis Avenue, thus a conditional use is required. Applications for such venues, nightclubs with event center like restrictions, have become a fairly regular request of consideration by the MAPC.

**Recommended Action:** Based upon information available at the time the staff report was prepared, it is recommended the request for a nightclub-event center be APPROVED, subject to 12 conditions.

**Board Agenda**

**12. Updates, Issues and Reports**

Opportunity is provided for the Council Member and the District Advisory Board members to report any activities, events, or concerns in the neighborhoods and/or Council District.

**Recommended Action:** Receive and file

The next DAB I meeting will be held at 6:30 p.m., January 9, 2017, at the Atwater Neighborhood Resource Center, 2755 E. 19<sup>th</sup> St. N., Wichita, KS 67214.

**Adjourn**